



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

HAROLD BAER
U.S. DISTRICT JUDGE
S.D.N.Y.

ANDREW M. CUOMO
Attorney General

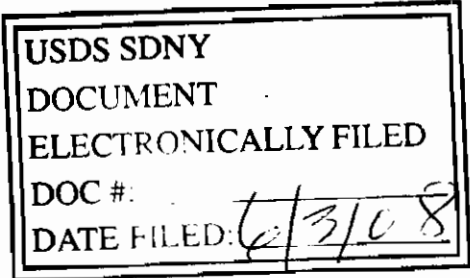
LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

May 14, 2008

BY HAND

Honorable Harold Baer
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007



Re: Earley v. Tillinghast, et al.
08 Cv. 2832 (HB)

Dear Judge Baer:

This office represents defendant, Correction Officer Louis Tillinghast in this pro se inmate use of force action. We respectfully request through this letter an extension of time of sixty days, to and including July 11, 2008, for defendant Tillinghast to answer or otherwise move with respect to the complaint. This will allow time for investigation into the case, as well as to resolve the question of service upon and representation of the remaining defendants, Makowski, Streimer and Myerhoff. *

No previous request for an extension of time has been made.

It has come to our attention that plaintiff has been released from prison. Since plaintiff did not leave a forwarding address with the Department of Correctional Services we are sending a copy of this letter to plaintiff's last known address.

Respectfully submitted,

Wesley E. Bauman
WESLEY E. BAUMAN
Assistant Attorney General
(212) 416-6296

The extension to July 11, 08 is granted.

cc. Albert Earley, pro se (by regular mail)

RECORDED:
Harold Baer
Harold Baer, J. U.S.D.J.
Date: 6/3/08